

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|------------------------------|---|--------------------|
| JOHN STEVEN WALKER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 3:05-0153 |
| |) | Judge Echols |
| FAIRFIELD RESORTS, INC., |) | |
| a/k/a FAIRFIELD RESORT |) | |
| COMMUNITIES, INC., and |) | |
| FAIRFIELD COMMUNITIES, INC., |) | |
| |) | |
| Defendants. |) | |

ORDER

For the reasons set forth in the Memorandum issued contemporaneously herewith, the Court rules as follows:

(1) Defendants Fairfield Resorts, Inc. a/k/a Fairfield Resort Communities, Inc., and Fairfield Communities, Inc.'s "Motion for Summary Judgment" (Docket Entry No. 24) is hereby GRANTED;

(2) Defendants' "Motion to Strike" (Docket Entry No. 30) is hereby DENIED;

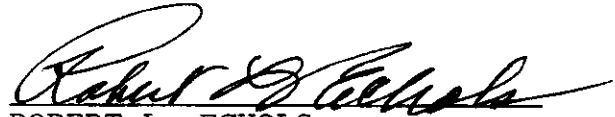
(3) Plaintiff's "Motion" for a *nunc pro tunc* Order (Docket Entry No. 34) is hereby DENIED AS MOOT; and

(4) This case is hereby DISMISSED WITH PREJUDICE.

Entry of this Order on the docket shall constitute entry of a final judgment in accordance with Federal Rules of Civil Procedure

58 and 79(a).

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE